

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SOFTWARE AG, INC. and SOFTWARE AG,

Plaintiffs,

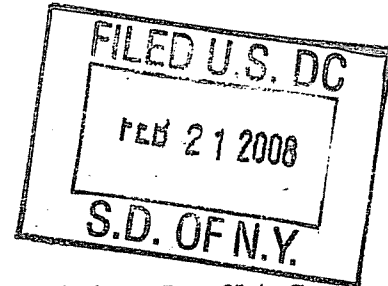
-against-

CONSIST SOFTWARE SOLUTIONS, INC.,
f/k/a CONSIST INTERNATIONAL, INC.,
and NATALIO FRIDMAN,

Defendants.
-----X

:
: 08 CV 389 (CM) (FM)
:

: **NOTICE OF APPEAL**
:



PLEASE TAKE NOTICE that defendants Consist Software Solutions, Inc. f/k/a Consist International, Inc. and Natalio Fridman (collectively "Consist") hereby appeal to the United States Court of Appeals for the Second Circuit from the "Emergency Interim Order/Interim Injunction" of the District Court for the Southern District of New York (McMahon, J.), dated February 19, 2008. A copy of the February 19, 2008 Emergency Interim Order/Interim Injunction is annexed hereto as Exhibit 1.

Dated: New York, New York
February 20, 2008

DUANE MORRIS LLP

By: *Hyman L. Schaffer*
Hyman L. Schaffer, Esq.

Fran M. Jacobs, Esq.
Brian Damiano, Esq.
1540 Broadway
New York, New York 10036
Telephone: (212) 692-1000
Facsimile: (212) 692-1020

-and-

SULLIVAN & CROMWELL LLP
John L. Warden, Esq.
125 Broad Street
New York, New York 10004
Telephone: (212) 558-3610
Facsimile: (212) 558-3588

*Attorneys for Plaintiff
Consist Software Solutions, Inc.*